

Title	<i>Application and Order for Reissuance of Order to Show Cause and Temporary Restraining Order</i> (approve Form 982(a)(30))
Summary	A new form would be approved for persons to use to apply for the reissuance of an order to show cause and temporary restraining order.
Source	Civil and Small Claims Advisory Committee
Staff	Patrick O'Donnell, Committee Counsel, 415-865-7665
Discussion	<p>Code of Civil Procedure section 527(d)(5) authorizes the court to reissue any temporary restraining order previously issued upon the filing of an affidavit by the applicant that the opposing party could not be served within the time required under the statute. The Judicial Council has adopted forms for the reissuance of temporary restraining orders for particular types of cases. (See, e.g., <i>Application and Order for Reissuance of Order to Show Cause (Elder or Dependent Adult Abuse)</i> (Form EA-125).) However, there is no general form for applying for the reissuance of an order to show cause and temporary restraining order.</p> <p>The proposed new form would assist litigants generally in applying for the reissuance of a temporary restraining order. This form would be especially helpful for self-represented individuals. The courts would probably also find it easier to review and decide on applications presented in the standardized format used in this form.</p>
Attachment	

